

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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|---------------------------|---|-----------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | 3:12-CR-141-HDM-(VPC) |
| |) | |
| UVALDO TOSTADO, |) | |
| |) | |
| Defendant. |) | |

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on June 25, 2013, defendant UVALDO TOSTADO pled guilty to Count One of a Seven-Count Second Superseding Indictment charging him with Conspiracy to Possess with Intent to Distribute and Distribute a Controlled Substance in violation of Title 21, United States Code, Section 841(a)(1). Second Superseding Indictment, ECF No. 46; Plea Memorandum, ECF No. 102; Change of Plea, ECF No. 109.

This Court finds defendant UVALDO TOSTADO agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegations of the Second Superseding Criminal Indictment. Second Superseding Indictment, ECF No. 46; Plea Memorandum, ECF No. 102; Change of Plea, ECF No. 109.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegations of the Second

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1 Superseding Criminal Indictment and the offense to which defendant UVALDO TOSTADO pled
2 guilty.

3 The following assets are subject to forfeiture pursuant to Title 21, United States Code, Section
4 853:

5 1. UNITED STATES CURRENCY

6 Three thousand five hundred dollars (\$3500) recovered by law enforcement
7 investigators on December 14, 2012, from Alvaro Meraz, who was located at a gas
8 station near the Pelandale exit off Route 99, in or near Modesto, California; and

9 2. UNITED STATES CURRENCY

10 One Thousand five hundred dollars (\$1500) deposited on December 7, 2012, into
11 an account ending with numbers 2112, in the name of a person having the initials
12 JCG, at the Bank of America's North Tahoe branch office, California ("property").

13 This Court finds the United States of America is now entitled to, and should, reduce the
14 aforementioned property to the possession of the United States of America.

15 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
16 United States of America should seize the aforementioned property.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
18 UVALDO TOSTADO in the aforementioned property is forfeited and is vested in the United States of
19 America and shall be safely held by the United States of America until further order of the Court.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
21 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
22 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
23 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
24 name and contact information for the government attorney to be served with the petition, pursuant to
25 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

26 ...

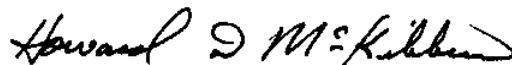
1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
2 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South
3 Virginia Street, 3rd Floor, Reno, NV 89501.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
5 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
6 following address at the time of filing:

7 Greg Addington
8 Assistant United States Attorney
9 100 West Liberty Street, Suite 600
10 Reno, NV 89501

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
12 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
13 following publication of notice of seizure and intent to administratively forfeit the above-described
14 property.

15 DATED this 8th day of July, 2013.

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UNITED STATES DISTRICT JUDGE
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